

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In re:	)	
Wayne Charles Marsonette,	)	Bankruptcy Case No.:17-40203-659
	)	
Debtor	)	Chapter 7
	)	
Reliant Care Management	)	Adv. Proc. No. 17-04014
Company, L.L.C.,	)	
	)	
and	)	
	)	
The Big Blessing, L.L.C.,	)	
	)	
Plaintiff	)	
	)	
v.	)	
	)	
Wayne Charles Marsonette,	)	
	)	
Defendant	)	

**ANSWER**

Comes Now Respondent, Wayne Charles Marsonette, by and through counsel and in Answer to the Complaint of Reliant Care Management, LLC, and The Big Blessing, LLC, states the following:

1. Defendant has insufficient information to submit or deny, and therefore denies the same.
2. Defendant has insufficient information to submit or deny, and therefore denies the same.

3. Defendant admits.

**JURISDICTON AND VENUE**

4. Defendant denies and further states the amount in controversy has no bearing on subject matter jurisdiction for this court.

5. Defendant admits venue is proper.

6. Defendant admits venue is proper, but denies all other allegations in this paragraph.

**FACTS**

7. Defendant has insufficient information to admit or deny, and therefore denies the same.

8. Defendant has insufficient information to admit or deny, and therefore denies the same.

9. Defendant has insufficient information to admit or deny, and therefore denies the same.

10. Defendant admits.

11. Defendant admits

12. Defendant admits.

13. Defendant admits.

14. Defendant admits.

15. Defendant admits.

16. Defendant has insufficient information to admit or deny. , and therefore denies the same

17. Defendant has insufficient information to admit or deny, and therefore denies the same.

18. Defendant has insufficient information to admit or deny, and therefore denies the same.

19. Defendant admits.

20. Defendant admits.

21. Defendant admits.

22. Defendant admits.

23. Defendant denies.

24. Defendant admits.

25. Defendant admits.

26. During denies.

27. Defendant admits.

28. Defendant admits.

29. Defendant admits.

30. Defendant admits.

31. Defendant admits.

32. Defendant admits.

33. Defendant admits.

34. Defendant admits.

35. Defendant denies.

36. Defendant has insufficient information to admit or deny, and therefore denies the same.

37. Defendant has insufficient information to admit or deny, and therefore denies the same.

38. Defendant denies.

39. Defendant has insufficient information to admit or deny, and therefore denies the same.

40. Defendant admits.

41. Defendant denies.

42. Defendant has insufficient information to admit or deny, and therefore denies the same.

43. Defendant denies.

44. Defendant admits.

45. Defendant admits.

46. Defendant admits.

47. Defendant denies each and every allegation in paragraph 47 and denies each and every allegation in all sub paragraphs to paragraph 47.

48. Defendant denies.

49. Defendant has insufficient information to admit or deny, and therefore denies the same.

50. Defendant denies.

51. Defendant has insufficient information to admit or deny, and therefore denies the same.

**COUNT I**

**CONVERSION AND CIVIL THEFT**

52. Defendant alleges his responses to the allegations contained in paragraphs 1 through 51 above.

53. Defendant denies.

54. Defendant denies any unauthorized use, and Defendant has insufficient information to admit or deny any other allegations in this paragraph.

55. Defendant denies.

56. Defendant denies.

**COUNT II**

**FRAUD**

57. Defendant alleges his responses to the allegations contained in paragraphs 1 through 51 above.

58. Defendant denies.

59. Defendant denies.

60. Defendant denies.

61. Defendant denies.

62. Defendant admits.

63. Defendant denies, and further states that no representations were false.

64. Defendant denies.

65. Defendant denies.

66. Defendant denies.

67. Defendant denies.

**COUNT III (brought by Plaintiff RCMC)**

**BREACH OF THE DUTY OF LOYALTY**

68. Defendant alleges again his responses to the allegations contained in paragraphs 1 through 51 above.

69. Defendant denies.

70. Defendant denies.

71. Defendant denies.

72. Defendant denies.

**COUNT IV**  
**UNJUST ENRICHMENT**

73. Defendant alleges again his responses to the allegations contained in paragraphs 1 through 51 above.

74. Defendant denies.

75. Defendant denies.

76. Defendant denies.

**COUNT V (brought by Plaintiff The Big Blessing)**

**Money Had and Received**

77. Defendant alleges again his responses to the allegations contained in paragraphs 1 through 51 above.

78. Defendant denies.

79. Defendant denies, but does state that he believes charges fo approximately \$5,594.82 were owed to Plaintiff, the Big Blessing.

80. Defendant denies.

81. Defendant denies.

#### **COUNT VI**

#### **NEGLIGENT MISREPRESENTATION**

82. Defendant alleges again his responses to the allegations contained in paragraphs 1 through 51 above.

83. Defendant denies.

84. Defendant denies.

85. Defendant denies.

86. Defendant denies.

87. Defendant denies.

88. Defendant denies.

#### **AFFIRMATIVE DEFENSES**

Defendant further states that the Complaint fails to state a claim upon which an objection to discharge under 11 USC 523 can be granted. Defendant also alleges that the Complaint fails to plead fraud and any other possible objection to

discharge claims in sufficient specificity so that there is no recognizable legal claim for objecting to discharge. Defendant also reserves the right to plead any other additional affirmative defenses that may become applicable as the matter is considered.

WHEREFORE, Defendant, Wayne Charles Marsonette, respectfully requests that the Complaint filed by the Plaintiffs be dismissed, and for such other relief as the Court deems is just and reasonable.

/s/ Douglas M. Heagler  
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**CERTIFICATE OF SERVICE**

To: Hesse Martone  
c/o Markus P. Cicka and Andrew J Martone  
13354 Manchester Road, Ste. 100  
St. Louis, MO 63131

PLEASE TAKE NOTICE that on or before April 6, 2017, the above answer was filed with the U.S. Bankruptcy Court for the Eastern District of Missouri, 111 S. 10<sup>th</sup> St. 4<sup>th</sup> Floor, St. Louis, MO 63102 and service provided by CM/ECFR and or regular mail on the above parties.

/s/ Douglas M. Heagler